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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,023	04/23/2007	Yong Jiang	NL03 1323 US1	5258
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EXAMINER				
IZAGUIRRE, ISMAEL				
ART UNIT		PAPER NUMBER		
3765				
MAIL DATE		DELIVERY MODE		
02/20/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/579,023

Applicant(s)

JIANG ET AL.

Examiner

Ismael Izaguirre

Art Unit

3765

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-9 and 11 is/are rejected.
- 7) ☒ Claim(s) 6 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

The examiner is appreciative of the changes made to the language of the claims. These have been duly noted and considered.

CLAIMS

Summary

Claims 1, 7 and 9 are the independent claims under consideration in this Office action.

Claims 2-6, 8, 10 and 11 are the dependent claims under consideration in this Office action.

Claim Language

In claim 7, line 1, "Device for treatment garments" should be replaced by the preferred "Device for the treatment of garments".

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Harrod et al. (5,636,773).

Harrod et al. teach a device for treating garments. The apparatus includes two portions, a first portion is located on the right hand side, shown in figure 1 which

comprises a garment holding enclosure which receives, encloses and moistens the garment. This portion involves placing the garment on a steam permeable casing or dummy and treating the garment using steam passing through the garment and using press platens pressing against the garment. A steam or moistening agent applying means is provided for passing steam through piping and onto the article (figure 8) within the enclosure. The second portion 212 of the apparatus is positioned outside of the enclosure and includes a garment moistening tool for ironing and moistening the garment using pressing members or side ironing members 220 and central ironing member 218. Steam or moisture agent supplying means are provided through piping 260 and 262 for passing steam in the ironing tool pressing the garment. The garment moistening tool 212 includes a fixed portion and a movable portion which is moved from a standby area to a pressing area. The pressing area is where the ironing portions 220 and 218 are aligned and moved toward their opposingly facing cooperating portions while pressing the garment. The standby position of the moistening tool is where the moistening tool is moved and pivoted away from the fixed pressing tools to an area where the garment is loaded. In this position, the moistening tool includes a standby area which supports the moistening tool when it is in a standby state. The driving mechanism placing the moistening tool in that area includes a resting pad or plate supporting and keeping the pivoting mechanism and moistening tool in the resting or loading position.

Remarks

Applicant incorporated a portion of the subject matter of claim 6 into the text of the independent claim; however Harrod et al. remains applicable since it would have been the entire contents of claim 6 that would have made the newly combined claim allowable. The mechanism for pivoting the moistening tool would include a "stop", resting pad or support plate onto which the pivoting mechanism would be placed on or connected to. Since the moistening tool is movable from a resting or standby position to a pressing position, then Harrod et al. teaches a standby area for the moistening tool.

Claims 1-3, 9 and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Korean document (20-0201898).

Korean document '898 teaches a device for treating garments, in particular for dewrinkling garments. The apparatus teaches two portions, a first comprising a garment holding enclosure 110 which receives, encloses and moistens garments. This portion comprises means for supporting the garments and permeable means 144, 156 for providing a moistening agent or steam to the articles being processed. The second portion of the apparatus is positioned for use outside of the enclosure, on the door of the enclosure as it is swung open and outside the enclosure proper. This comprises a garment moistening tool 170 for ironing and moistening the garment using a pressing member or iron 178 and a cooperating ironing board, supporting or resting pad 172 which is permeable to steam via steam holes 173. This resting pad acts in cooperation with the movable iron and presses or irons the garment therewith. A moisture or steam

supplying agent is provided from a tank 177 for supplying the moistening tool and the holding enclosure with steam in the processing of the garments.

Claims 7 and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bullock (3,805,561).

Bullock teaches a device for treating garments, in particular for dewrinkling garments. The apparatus teaches a garment holding enclosure 110 which receives, encloses and moistens garments. The enclosure includes walls and a door which is openable for loading articles of clothing and steaming them. A moistening agent or steam is produced by a steam generator which is supported by a resting pad 27. The resting pad and casing portion 42 is permeable to steam which is circulated through the enclosure by a blower 12.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Korean document in view of Stillwell, Jr. (2,785,557).

Korean document discloses the invention substantially as claimed. See above for specific explanations of the structural details of this document. Briefly, Korean

document teaches an enclosure for treating garments and a moistening tool outside the enclosure for pressing the garment. While the moistening tool is taught as including an ironing board 172, this is not taught as located on top of the garment holding enclosure.

Stillwell, Jr. teaches an apparatus for the treating of garments including an enclosure 24 for receiving and enclosing garments and further includes an ironing tool 26 located outside the enclosure and specifically located on top of the enclosure.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the ironing board garment moistening tool of Korean document as including an ironing board located on top of the enclosure. Providing this would allow for a more compact apparatus widthwise and thus would occupy less room in a user's household.

ALLOWABLE SUBJECT MATTER

Claims 6 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on (571) 272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ismael Izaguirre/
Primary Examiner, Art Unit 3765